IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wolfgang STAEHLE et al. Group Art Unit 4121

Serial No.: 10/573,176 Examiner: Alicia L. Fierro

Filed: March 23, 2006

Title: 1,3-BENZOXAZOLYL DERIVATIVES AS KINASE INHIBITORS

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

Further to the Reply filed July 20, 2009, filed herewith is a Terminal Disclaimer with respect to US Patent Application Serial No. 12/328,320.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

/Brion P. Heaney/

Brion P. Heaney, Reg. No. 32,542 Attorney for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza 1 2200 Clarendon Boulevard, Suite 1400 Arlington, VA 22201

Direct Dial: 703-812-5308 Facsimile: 703-243-6410

Attorney Docket No.:MERCK-3155

Date: August 13, 2009